IN THE HIGH COURT OF JUDICATURE AT BOMBAY
Appellate Side
PIL No.39 of 2004

Shiral Kondhe Pani Sangharsha Samiti & ors. .. .. Petitioners
v/s.
The State of Maharashtra & ors. .. Respondents

Mr.A.B.Tajne h/f Mr.G.S.Godbole for petitioners.

Ms.Jyoti Pawar, Addl.G.P. for respondent Nos.1 to 6.

Mr.S.M.Railkar for respondent 7(A) & (B).

CORAM : H.L. GOKHALE, ACTING C.J. &
V.M. KANADE, J.

DATED : 14th February 2007

P.C. :

1. Heard the learned Counsel for the parties.

2. This Petition is filed to challenge the excavation of sand from the bank of river viz. Vashishthi at Chiplun, District Ratnagiri and the use of lands for the purpose of storage of sand. Initially, an ad-interim order was granted which was vacated later on. Now, a necessary permission has been obtained by respondent Nos.8 to 10 in whose lands the sand is being stored. They have undoubtedly no objection to the sand being stored.

3. The relevant permission was shown to us on the last date by Mr.Railkar appearing for

respondent Nos.7(A) and 7(B) and, therefore, Mr.Godbole appearing for the petitioners had taken time to seek instructions from the petitioners as to whether they are still interested in pursuing the matter.

4. Today, Mr.Tajne holding for Mr.Godbole informs that he has not received any instructions. However, in view of the permission obtained by respondent Nos.8 to 10, there is no reason to continue this Petition any more. Petition is, therefore, dismissed.

5. In view of the dismissal of the main Petition, nothing survives in Civil Application No.1252 of 2004 taken in this Petition and the same is dismissed as rendered infructuous.

(ACTING C.J.)

(V.M. KANADE, J.)